

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ROY STAFFORD

PLAINTIFF

v.

No. 4:09CV133-P-D

LAWRENCE KELLY, ET AL.

DEFENDANTS

ORDER DENYING RECONSIDERATION

This matter comes before the court on the motion [25] by the plaintiff seeking reconsideration of the court's order denying the plaintiff's request for his sister to stand in his stead in this case should he become incapacitated. The court denied the order on April 6, 2010, and the plaintiff sought reconsideration on April 9, 2010.

The court interprets the motion, using the liberal standard for *pro se* litigants set forth in *Haines v. Kerner*, 404 U.S. 519 (1972), as a motion for relief from a judgment or order under FED. R. CIV. P. 60. An order granting relief under Rule 60 must be based upon: (1) clerical mistakes, (2) mistake, inadvertence, surprise, or excusable neglect, (3) newly discovered evidence, (4) fraud or other misconduct of an adverse party, (5) a void judgment, or (6) any other reason justifying relief from the operation of the order. The plaintiff has neither asserted nor proven any of the specific justifications for relief from an order permitted under Rule 60. In addition, the plaintiff has not presented "any other reason justifying relief from the operation" of the judgment. As such, the plaintiff's request for reconsideration is **DENIED**.

SO ORDERED, this the 26th day of May, 2010.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE